4-

	Report Date:	08/30/2002	Agency:	Yew Castle	County PD		10		2-02-086999		
	te and Time 30/2002 1021		<u></u> -	Initial	Crime Repor	<u>t</u>	FRI 0	8/30/2002	013		
tion: 20 CC	DACHMAN I	D SURREY	PARK '	Wilmington	, DE 19803						
ang Inc	odent Overview:	N WF 1 FE	LL INTO	D A POOI	AND NEARL	Y DROWN.	SUBJECT	WAS TA	KEN TO A	ַ עַע	PONT
	AL FOR T										
1-372	Sector 12	New Cast	le ∐Ye≯		F-14 Sent? ]}Yes (\$(No		padcast Sent? /es X No				
·	·				Victim I	nformation	1				
im Numi 1	ber Name	N, MARISSA		<b></b>			<u></u> , . <u></u>	_ <del></del>			<u> </u>
<del>-</del>		Sex	Race White			Ethnic Origin Non-Hispa	nte	Age 1	0.0.B. 12/30/2000		
dividu ress 20 CC		Female 2D	wate	Resident Sta		Employe	r/School	<del>-</del>		_ · r	ork Telephone
ÎRRE!	DACHMAN I Y PARK Iton, DE 1980	3					<del></del>				
orting P	erson/ Victim In		Deceased?	Officer Commi	etra						
ries .	ciousness		Description	on of Injuries				<del></del>			
rent/Gue	rdian Information	4 N		Par	ent Telephone				· <del> </del>		<del></del>
	LLE FISHM. Idres <mark>s as V</mark> ict		<del></del>								
	<del> </del>	<del></del>			mes and Ass	ociated Inf	ormation				
1	ber Crime Seq St 001	stufe		Casualty	iplion Injured Subject	<del></del>	Time Associat		<del></del>	<b></b>	<del></del>
Cestion T Resider	fype nce/Home		Status Service	Clear 08/30	/2002	Involvement	□ Drugs _□ Comp	General Ol outer	Hense		
Uspected [] Yes		ime Code 191 - Casualt	y/Injured !	Subject							
orgiery F	orce involved	<u></u>	<u> </u>		· <del></del>						··
					Witness	Informatio	irt				
Quence	<del> </del>	<del></del>			77 14,000	ZIII OI III GARO	ra.a				
	Type	1	Name				Sex	Race		Age	0.0.B
<u> </u>	Person Con			_ <del></del> _	RBARA HELE		Femal		e	Ag a 63	0.0.8 03/29/1941 Work Telephone
01 dress 220 CC URRE	Person Con DACHMAN I Y PARK	R			HOME Telephone (302) 478-5671	NA Employer/School	Femal		e	Ag 2 61	03/29/1941
ol dress 220 CC URRE UBDIDS	Person Com DACHMAN I Y PARK Iton, DK 1980	ncted PR 3	LONG		Home Telephone		Femal	e White	e .	61	03/29/1941 Work Telephone
ol dress 220 C URRE Vilmins quence 02	Person Con DACHMAN I Y PARK	ected PR 3	LONG	MAN, ALE	(302) 478-5671  XANDRA SOSI	Employer/School	Femal	e White		Age 61	03/29/1941 Work Telephone D.O.B. 12/21/1993
odress 220 CC URRE Vilmins quance 02	Person Const OACHMAN I Y PARK gton. DE 1980 Type Person Const	ected PR 3	LONG	MAN, ALE	Home Telephone (302) 478-5671	Employer/School	Femal	e White		61	93/29/1941 Work Telephone
oldress 220 Course Vilmins quence 02 dress 220 Course Vilmins	Person Control  OACHMAN I  Y PARK  Ston. DE 1980  Type Person Control  OACHMAN  Y PARK  Ston. DE 1980  Wish information	DR 3 Sacted	LONG	MAN, ALE	Home Telephone (302) 478-5671  XANDRA SOSH	Employer/School	Femal	e White		61	03/29/1941 Work Telephone D.O.B. 12/Z1/1993
oldicess 220 Ct URRE Vilmins equence 02 ddress 220 Ct URRE Vilmins Prent/Gus ROCHE	Person Cons OACHMAN I Y PARK Ston, DE 1980 Person Cons OACHMAN Y PARK ston, DE 1980	DR 3 Sected	LONG	MAN, ALE	Home Telephone (302) 478-5671  XANDRA SOSE Home Telephone (302) 478-5671	Employer/School	Femal	e White		61	03/29/1941 Work Telephone D.O.B. 12/Z1/1993
odi delesso 220 CC URRE Vilmins cquence 02 delesso 220 CC URRE Vilmins rent/Gun ROCHE ame Ai	Person Cont OACHMAN I Y PARK ston, DE 1980 Person Cont OACHMAN Y PARK ston, DE 1980 edia information LLE FISHM ddress as With	DR 3 Sected	Name FISH/	MAN, ALE	Home Telephone (302) 478-5671  XANDRA SOSI- Home Telephone (302) 478-5671  ent Telephone	Employer/School	Sex Femal	e White	e	Age 8	Work Telephone  D.O.S.  12/21/1993  Work Telephone
ol series 220 CC URRE VIIming squence 02 CC URRE VIIming 102 CC URRE VIIming 102 CC URRE VIIming 102 CC URRE Ame Ai Squence 03	Person Control  OACHMAN I Y PARK Ston. DE 1980  Type Person Control  OACHMAN Y PARK Ston. DE 1980 Gian information LLE FISHM ddress ag With  Type Person Con	DR 3 Sected	Name FISH/	MAN, ALE	XANDRA SOSI- Home Telephone (302) 478-5671  XANDRA SOSI- Home Telephone (302) 478-5671  ent Telephone	Employer/School	Sex Femal	e White	e	Age 8	Work Telephone  D.D.B.  12/21/1993  Work Telephone
olicies dress 220 CC URRE Vilmins guance 02 220 CC URRE Vilmins guance 03 dress dress dress COCHE ame Ai guance 03 dress CCURRE URRE CURRE URRE CURRE	Person Control Park Park Person Control Park Park Park	DR 3 Incted 3 AN ness	Name FISH/	MAN, ALE	Home Telephone (302) 478-5671  XANDRA SOSI- Home Telephone (302) 478-5671  ent Telephone	Employer/School	Sex Femal	e White	e	Age 8	03/29/1941 Work Telephone D.O.S. 12/21/1993 Work Telephone
01  dress 220 CC URRE Vilmins  dress 220 CC URRE Vilmins  rent/Gus  dress COCHE  ame Ai  dress CURRE VILMINS  dress COCHE  ame Ai  dres	Person Control  ACHMAN I Y PARK ROD. DE 1989 Person Control  OACHMAN Y PARK ROD. DE 1980 Grisn information LLE FISHM ddress as With Type Person Con  OACHMAN Y PARK ROD. DE 1980 CONTROL DE 1980 reisn information	meted  DR  3  meted  AN  ness  tacted	Name FISH/	MAN, ALE	XANDRA SOSI- Home Telephone (302) 478-5671  XANDRA SOSI- Home Telephone (302) 478-5671  ent Telephone	Employer/School	Sex Femal	e White	e	Age 8	03/29/1941 Work Telephone D.O.S. 12/21/1993 Work Telephone
olissississississississississississississ	Person Control OACHMAN I Y PARK Rion, DE 1989 Person Control OACHMAN Y PARK Rion, DE 1980 Claim information LLE FISHM ddress at With Type Person Control OACHMAN Y PARK Rion, DE 1980 OACHMAN Y PARK Rion, DE 1980 OLLE FISHM ddress ar With	DR 3 Sected  AN Sected  AN Sected  AN Sected  AN Sected	Name FISH/	MAN, ALE	XANDRA SOSH- Home Telephone (302) 478-5671  XANDRA SOSH-Home Telephone (302) 478-5671  ent Telephone (302) 478-5671	Employer/School	Sex Femal	e White e Race White White	e	Age 8	03/29/1941   Work Telephone
oldesson dress dress quance 02 dress quance 02 dress Quance 03 dress Quance 03 dress Quance URRE Vilinian dress Quance Quance 03 dress Quance	Person Control of the	ancted DR 3 Sacted  3 AN ness AN ness AN ness	Name FISH	MAN, ALE PBF  MAN, SAM Pat	Home Telephone (302) 478-5671  XANDRA SOSE Home Telephone (302) 478-5671  ent Telephone  IEUL M Home Telephone (302) 478-5671  ent Telephone (302) 478-5671	Employer/School Employer/School Employer/School	Sex Femal	e White e Race e White	ie ie	Age 8	03/29/1941 Work Telephone  D.O.B. 12/21/1993 Work Telephone  D.O.B. 06/10/1998 Work Telephone
olders of the control	Person Control OACHMAN I Y PARK Rion, DE 1989 Person Control OACHMAN Y PARK Rion, DE 1980 Gian information OACHMAN OBJECT OF Person Control OACHMAN Y PARK Rion, DE 1980 OACHMAN Y PARK Rion, DE 1980 OILLE FISHM ddress as Wic	ancted DR 3 Sacted  3 AN ness AN ness AN ness	Name FISH	MAN, ALE PBF  MAN, SAM Pat	MANDRA SOSI- Home Telephone (302) 478-5671  XANDRA SOSI- Home Telephone (302) 478-5671  ent Telephone  IEUL M  Home Telephone (302) 478-5671	Employer/School Employer/School Employer/School Employer/School	Sex Femal	e White  Race e White  Race white	ie ie	Age 8	03/29/1941   Work Telephone
olders of the control	Person Con: OACHMAN I Y PARK ston, DE 1980 Person Con: OACHMAN Y PARK ston, DE 1980 rdian information LLE FISHM ddress as With Type Person Con OACHMAN Y PARK ston, DE 1980 rdian information Y PARK ston, DE 1980 rdian information LLE FISHM ddress as With	ancted DR 3 Sacted  3 AN ness AN ness AN ness	Name FISH	MAN, ALE PBF  MAN, SAM Pat	Home Telephone (302) 478-5671  XANDRA SOSE Home Telephone (302) 478-5671  ent Telephone  IEUL M Home Telephone (302) 478-5671  ent Telephone (302) 478-5671	Employer/School Employer/School Employer/School Employer/School	Sex Femal	e White  Race e White  Race white	ie ie	Age 8	03/29/1941 Work Telephone  D.O.B. 12/21/1993 Work Telephone  D.O.B. 06/10/1998 Work Telephone
olistics of the control of the contr	Person Control OACHMAN I Y PARK Rion, DE 1989 Person Control OACHMAN Y PARK Rion, DE 1980 Gian information OACHMAN OBJECT OF Person Control OACHMAN Y PARK Rion, DE 1980 OACHMAN Y PARK Rion, DE 1980 OILLE FISHM ddress as Wic	ancted  DR  3  AN  AN  Antered  3  AN  Aneres  An  An  An  An  An  An  An  An  An  A	Name FISH	MAN, ALE PBF  MAN, SAM Pat	Home Telephone (302) 478-5671  XANDRA SOSE Home Telephone (302) 478-5671  ent Telephone  IEUL M Home Telephone (302) 478-5671  ent Telephone CSA GARCIA Home Telephone	Employer/School Employer/School Employer/School Employer/School	Sex Femal	e White e Race white e White Race white	ie ie	Age 8	0.0.8.   12/71/1993   Work Telephone     0.0.8.   12/71/1993     0.0.8.   06/10/1998     Work Telephone     0.0.8.     04/23/1964     Work Telephone     0.0.8.     0.0.8.     0.0.8.
onesses control of the control of th	Person Control OACHMAN I Y PARK Rion, DE 1989 Person Control OACHMAN Y PARK Rion, DE 1980 Person Control OACHMAN Y PARK Rion, DE 1980 Person Control OACHMAN Y PARK Rion, DE 1980 OACHMAN Y PARK Rion, DE 1980 OACHMAN CLLE FISHM ddress as With Type Person Control OACHMAN CLLE FISHM ddress as With Type Person Control OACHMAN CLLE FISHM ddress as With Type Person Control OACHMAN CLLE FISHM ddress as With Type Person Control OACHMAN CLLE FISHM ddress as With Type Person Control OACHMAN CLLE FISHM ddress as With Type Person Control OACHMAN CLLE FISHM ddress as With Type Not Intervie	ancted  DR  3  AN  AN  Antered  3  AN  Aneres  An  An  An  An  An  An  An  An  An  A	Name FISH	MAN, ALE Per MAN, SAM	Home Telephone (302) 478-5671  XANDRA SOSI- Home Telephone (302) 478-5671  ent Telephone (302) 478-5671  ent Telephone (302) 478-5671  ent Telephone (302) 478-5671  ent Telephone CSA GARCIA Home Telephone	Employer/School Employer/School Employer/School Employer/School	Sex Femal  Sex Femal  Sex Femal  Sex Femal	e White e Race white e White Race white	ie ie	Age 8	0.0.8.   12/71/1993
on the state of th	Person Control OACHMAN I Y PARK RION. DE 1989 Person Control OACHMAN Y PARK RION. DE 1980 Grisn information LLE FISHM ddress as With Type Person Con OACHMAN Y PARK RION. DE 1980 reins information LLE FISHM ddress as With Type Person Con BTAINED  Type Not Intervie OACHMAN Y PARK	meted  DR  3  Macted  AN  DRSS  AN  DRSS  Macted  Mact	Name FISH	MAN, ALE Per MAN, SAM	Home Telephone (302) 478-5671  XANDRA SOSHome Telephone (302) 478-5671  ent Telephone (302) 478-5671  ent Telephone (302) 478-5671  ent Telephone (302) 478-5671	Employer/School  Employer/School  Employer/School  Employer/School  Employer/School  Employer/School  Employer/School	Sex Femal  Sex Femal  Sex Femal  Sex Femal	e White e Race white e White Race white	ie ie	Age 8	03/29/1941 Work Telephone  D.O.B. 12/71/1993 Work Telephone  D.O.B. 06/10/1998 Work Telephone  D.O.B. 04/23/1964 Work Telephone
on sources of the second of th	Person Con- OACHMAN I Y PARK Ston. DE 1980 Person Con- OACHMAN Y PARK Ston. DE 1980 OACHMAN Y PARK Ston. DI 1980 OACHMAN Type Person Con- OACHMAN Y PARK Ston. DE 1980 Person Con- OACHMAN Y PARK Type Person Con- OACHMAN Type OACHMAN	ancted   DR 3   Sacted   AN acted   AN acted	Name FISH  Name ZAVA	MAN, ALE Per MAN, SAM	Home Telephone (302) 478-5671  XANDRA SOSI- Home Telephone (302) 478-5671  ent Telephone (302) 478-5671  ent Telephone (302) 478-5671  ent Telephone (302) 478-5671  ent Telephone CSA GARCIA Home Telephone	Employer/School  Employer/School  Employer/School  Employer/School  Employer/School  Employer/School  Employer/School	Sex Femal  Sex Femal  Sex Femal  Sex Femal	e White  Race White  Race White  Race White  Race White	ie ie	Age 8	03/29/1941 Work Telephone  D.O.B. 12/71/1993 Work Telephone  D.O.B. 06/10/1998 Work Telephone  D.O.B. 04/23/1964 Work Telephone

		 	Agency			Com	o <sup>vaint:</sup> 3 <b>2-0</b> 2-886999		
2	Report	08/30/2002	New Castl	e County PD		,			
Sequence 006 Contin	ped			Witness	Information				Work Telephone
Address		<u></u>	,, <del></del> ,,	Home Telephone	Employer/School				HOLK IC ANIMIS
NOT OBT	AINED	•		<u></u>	<u> </u>			<u> </u>	
Sequence T	уре		Name	nnicoN		Sev Male	Race	Age 4	0.0.8. 10/21/1997
007	Person (	Contacted	FISHMAN, HA	Home Telephone	Employer/School				Work Telephone
Address 3220 COA SURREY	PARK			(302) 478-5671	<u> </u>				
Wilmingto Parent/Guard ROCHEL	llan inform 1 E. FIS	ation HMAN		Parent Telephone	}			<del></del> .	
Sarge Add		<u> </u>	Name			Sex Female	Race White	76e 24	9.0.8. <b>02/J 6/1978</b>
008 Address	Person	Contacted	LUCAS, ALLI	Home Telephone	Employer/School	J Cupart			Work Telephone
14 DUNI				(917) 282-5631					
<u>BROOK</u> I		<u> </u>	Name			Sea	Race	Age 87	0.0.e. 11/12/1914
Sequence 009	Person	Contacted	LONGWILL,	HELEN Harne Tetephone	Employer/School	Female	White	10/.	Work Telephone
4638 LIE ENCINO	BIT AV	/E 436		Prome respinone					<u> </u>
	Type Parent	<del></del> <del>-</del>	Name FISHMAN, R	OCHELLE		Sex Unknown	Race	Age	D.O.B.
Address 3220 CO SURREY Wilmings	PARK		,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	Home Telephons	Employer/School			<u> </u>	Work Telephone
Sequence 912	Type Parent		PISHMAN, R	OCHELLE		Sex Unknown	Rece	Age	0.0.B.
Address 3220 CO SURREY Wilming	ACHM PARK ton. DE	AN 19803		Home Talephane	Employer/School				Work Telephon≜
Sequence 013	Type Parent		Name FISHMAN, R	OCHELLE	·-	Sex Unknown	Race	Age	0.0.B
Address 3220 CO SURREY Wilming	ACHM PARK	AN		Home Telephone	Employer/School				Work Telephone
	Type Parent		Name FISHMAN, R	OCHELLE		Sex Unknown	Race	Age	0.0.0.
Address 3220 CO SURREY Wilming	ACHM	AN		Home Telephone	Employer/School				Work Telephone

Investigative Narrative

WRITER RESPONDED TO 3220 COACHMAN RD, SURREY PARK, WILMINGTON REFERENCE A DROWNING IN PROGRESS. COUNTY DISPATCH ADVISED THAT A BABY WAS PULLED FROM A POOL, AND THE BABY WAS NOT BREATHING. COUNTY DISPATCH ADVISED THAT THE CALLER WAS UPSET AND NOT LISTENING TO CPR INSTRUCTIONS.

UPON ARRIVAL, WRITER OBSERVED AN AMBULANCE LEAVE THE RESIDENCE. DISPATCH ADVISED THAT THE VICTIM WAS BRING TRANSPORTED TO THE HOSPITAL FOR TREATMENT.

WRITER NOTICED SEVERAL FAMILY MEMBERS PRESENT AT THE RESIDENCE. WRITER CONTACTED BARBARA LONGWILL AND ALEXANDRA FISHMAN. WRITER OBTAINED A BRIEF STATEMENT FROM THEM. BOTH SUBJECTS ADVISED THAT THEY OBSERVED MARISSA FISHMAN WF 1 FLOATING ON HER STOMACH IN THE SHALLOW END OF THE POOL. MARISSA WAS PULLED FROM THEPOOL AND CPR WAS ATTEMPTED. THEY ADVISED THAT MARISSA MUST HAVE WALKED THROUGH THE OPEN SLIDING GLASS DOOR THAT WAS LEFT OPEN BY CONSTRUCTION WORKERS WORKING ON THE RESIDENCE. SGT BECKER ARRIVED ON SCENE RIGHT AFTER WRITER. SGT BECKER CONTACTED SOME FAMILY MEMBERS AND CONSTRUCTION WORKERS, AND OBTAINED A BRIEF STATEMENT FROM THEM.

FAMILY MEMBERS PRESENT WERE: DEBORAH FOX. HARRISON FISHMAN, ALLISON LUCAS, HELEN LONGWILL, BARBARA LONGWILL, ALEXANDRA FISHMAN, SAMUEL FISHMAN, AND THE FAMILY NANNY TERESA ZAVALA. WRITER WAS ADVISED THAT ROCHELLE FISHMAN RESPONDED TO AI DUPONT HOSPITAL WITH MARIESA FISHMAN.

SGT BECKER ADVISED WRITER TO SECURE THE SCENE. THE SCENE CONSISTED OF A LARGE INDOOR POOL THAT WAS ATTACHED TO THE RESIDENCE. WRITER OBSERVED A SLIDING GLASS DOOR THAT SEPARATED THE

Reporting Officer	Supervisor Approval
OFC SCHLOSSER - 2438 2	ANTHONY W SCELSI OJNCAWS Date 08/38/2002 1649

Pege: 3 Report Date: 08/30/2002 New Castle County PD Comptaint: 32-02-086999

Investigative Narrative - Continued

INFORMAL DINING ROOM AREA TO THE POOL ROOM.

SGT MCGOWAN, DET TRALA, AND DET BELL ARRIVED ON-SCENE. REFER TO THEIR SUPPLEMENT FOR DETAILS ON INTERVIEWS. EDU OFFICER MURPHY THEN ARRIVED ON SCENE REFERENCE COLLECTION OF EVIDENCE. OFC SANTOS THEN RESPONDED ON-SCENE REFERENCE TRANSLATION FOR THE CONSTRUCTION WORKERS. SGT BECKER ADVISED OFC ALREE AND OFF COTE TO RESPOND TO AI DUPONT HOSPITAL TO STANDBY WITH VICTIM.

DET MALONE RESPONDED TO AI DUPONT HOSPITAL REFERENCE INERVEIW WITH VICTIM'S MOTHER AND CHECKING ON CONDITION OF VICTIM. AS ALL THE INTERVIEWS AND EVIDENCE WORK WERE COMPLETE, WRITER WAS RELIEVED OF HIS DUTIES. WRITER WAS UNAWARE OF THE VICTIM'S STATUS AT THE HOSPITAL. REFER TO CIU SUPPLEMENTS FOR DETAILS.

OFC SCHLOSSER Detective Notified	- 2458 2	Supervisor Approval ANTHONY W SC	CELSI OJNCAWS Date 08/30	/2002 1649	
Solvebinly Factors		M. D. Subpact Osseribed	☐ Trace Stolen Property ☐ Suspect Identified	Suspect Named Suspect Yehicle Identified	Status Has Follow Un

Filed 04/17/2006 Page 4 of 8

Supplemental Report - #1

Original Frecurrence Dates and Times: FRI 08/30/2002 1013				Grid 114-372	Sec. 12							
Original Loc												
3220 C	OACHMA	N RD SURRI	EY PARK	Wilmington, D		<del></del>				<del></del>	—	
				Or	iginal Vic	tim lr	iformatic	on				
ictim Num <b>001</b>	her Name FISHM	IAN, MARIS	SA									
<sub>ype</sub> I <b>ndividu</b>	al	Sex Female	Race White				c Origin 1-Hispanic		Age 1	D.O.B. 12/30/2090		· · · · · · · · · · · · · · · · · · ·
SURRE	DACHMAN Y PARK ton, DE 198			Resident Status Full Time	Home Telephone (302) 478-56		Employer/Sci	hool			w.	or- Tel <b>ephone</b>
Reporting P		Injured? Vic	tim Deceased? Yes <b>[X</b> No	Officer Comments						- · · · · ·		
				Original C	rime and	Assoc	iated In	formatio	n			
ictim Num 101	ber Crime Seq 001	Statute		Crime Description Casualty Inju		No Sp	ecific Crim	e Associat	ed			
Location T <b>Resider</b>	ype 1ce/Home		Status Service	Clear 08/30/200	2		rement Icohol [] Dru	ıgs □Compi	General ( uter	Mense		
Suspected ☐ Yes	Hate/Bias XNo - N/A	Crime Code 8191 - Casua	alty/Injured !	Subject								
Burglary F ∭Yes	orce Involved											_,
					Witness	Infor	nation					
equence 004	Type Person Co	ntacted	Name ZAVA	ALA, TERESA (	GARCIA_			Sex Female	Race Whi		Age 38	04/23/1964
odress	BTAINED			Home	Lelephone		r/School EMPLOY	(ED - NAN	INY			White Telephone
equence 010	Type Person Co	ntacted	Hame BRIT	O-ORTIZ, SAL	VADOR NM	1N		Sex Male	Race Whi		Age 37	0.0.8. 04/11/1965
	AN BUREN NGTON, DI		-		Telephone ) 654-1984	Employe	r/School				,	Work Telephone

Writer responded to 3220 Coachman Road, Surrey Park, Wilmington, DE 19803 reference assist in injured subject complaint. Upon arrival, writer contacted Detective Trala, and ascertained that Salvador Brito-Ortiz, PC1, and Teresa Zavala, W1, need to be interviewed about the injured subject incident. Writer advises that both PC1 and WI did not speak fluent English and required a Spanish translator to obtain their statements. Writer interviewed W1 and PC1 separately and documented their statements.

Writer forwarded a copy of this report to CIU at this time.

## Statement of Witness 004 - TERESA GARCIA ZAVALA

Teresa Zavala, W1, advised that she and Marissa Fishman, V1, were asleep in her bedroom when they awoke around 0700 hours. W1 advised that she and V1 responded to the kitchen and joined the rest of the family for breakfast. WI advised that around 0900 hours, she started cleaning the bathroom and bedroom areas of 'Rochelle' and 'Barbara' and heard the children talking in the kitchen area. W1 advised that she assumed that all the children were being watched and continued cleaning around the house. W1 advised that she responded to the kitchen area and was asked by Barbara, '...where is Marissa?', at which time she stated she did not know. W1 advised that she and Rochelle started calling Marissa's name aloud at which time she suddenly heard Alexandra scream, '...here is Marissa...', as she pointed to the pool area. W1 advised that she immediately observed the sliding glass door from the kitchen area to the indoor pool area to be open. WI advised that she observed Rochelle start to run toward the pool area and she quickly followed.

W1 advised that as she entered the pool area she observed Marissa, motionless, floating face down in the pool. W1 advised that she then observed two subjects standing on the edge of the pool. W1 advised that she 'froze' and just stared at Marissa floating in the pool as Rochelle

<del></del>		<del></del>
Reporting Officer		Supervisor Approval
PFC SANTOS	- 2426	ROBERT C BECKER OJNCRCB Date 08/30/2002 1730
	- <del></del>	·

Page: 2 Report Datase 1:05-cv-002/11-MPT Document 81-5 Filed 04/17/2006 Page 5 of 8 08/30/2002 New Castle County PD 32-02-086999

Statement of ...tness 004 - TERESA GARCIA ZAVA. ... - Continued pushed the hispanic male subject to the side and dove into the pool towards Marissa.

Wi advised that she observed Rochelle grab Marissa from the pool as she—yelled at the two subjects, '...why didn't you move...'. Wi advised that Rochelle handed Marissa to her at which time Rochelle started to push on the stomach of Marissa. Wi advised that she observed water exit the mouth of Marissa. Wi advised that the skin color of Marissa was light blue and she had been wearing her pajamas. Wi advised that she placed Marissa on the carpeted floor near the kitchen table as Rochelle continued to push on Marissa's stomach and Barbara started blow air into—Marissa's mouth. Wi advised that she observed Marissa cough once. Wi advised that the two subjects seen in the pool area were one white male subject and one hispanic male subject. Wi advised that she had seen these subjecte moving one circular—table and three chairs from the exterior patio area to the pool area through the unsecured door area. Wadvised that the door between the kitchen area and the pool area is always closed when the children area in the house and the Marissa is incapableto opening the door by herself. Wi advised that she believes that one of these two subjects had left—the door open while they were moving the furniture.

# Statement of Witness 010 - SALVADOR NMN BRITO-ORTIZ

Salvador Brito-Ortiz, PC1, advised that he had been working on the outdoor patio area with his boss, the other white male subject. PC1 advised that he had been working on the masonry on the patio and did observe numerous children playing inside theresidence near the kitchen area.

Reporting Officer PFC SANTOS	- 2426	Supervisor Approval ROBERT C BE	CKER OJNCRCB Date 0	8/30/2002 1730	
Solvability Factors	□Witness	C.M. O.	☐ Trace Stolen Property	☐ Suspect Named	Status
	☐ Suspect Located	C' Sur pect Described	☐ Suspect Identified	☐ Suspect Vehicle Described	Has Follow Up

Page: 1 Case 1:05-cv 00211-MPT Document 81-5 Filed 04/17/2006 Page 6 of 8 New Castle County PD

# Supplemental Report - #2

Original Occurrence Dates and Times: FRI 08/30/2002 1013 Original Location: 3220 COACHMAN RD SURREY PARK					Grid 114-372	Sector 12	<u> </u>				
				PARK							
					Or	iginal Victi	m Informa	tion			
victim Number 001		IAN, MAI	RISSA					<del>_</del> _			
Type Individual		Sex Femal	e	Race White			Ethnic Origin Non-Hispan	ic	Age 1	0.0.8. <b>12/30/200</b> 0	
Address 3220 COA SURREY P Wilmington	'ARK				Resident Status Full Time	Home Telephone (302) 478-567	Employer/	School			Work Telephone
Reporting Perso	n? Victim	Injured?	Victim E □Yes	eceased? XNo	Officer Comments						
					Original (	- Crime and A	ssociated 1	nformati	on		
Victim Number	Crime Seq 001	Statute			Crime Description Casualty Inj	ured Subject N	o Specific Cr	ime Associ:	ated		
Location Type Residence				Status Service	Clear 08/30/20	02	Involvement  Alcohol	Drugs □ Com		al Offense	
Suspected Hat	te/Bias No - N/A	Crime Code 8191 - Ca	sualty/	Injured :	Subject						· —
Burglary Force	e Involved No				·· <del>-</del> -	. – <del>. –</del>	<del>_</del>	<del>_</del>			

Investigative Narrative

Writer responded to the above location on the above date and time reference to a drowning. Prior to arrival writer ascerstained the ambulance was transporting the victim to A.I. Hospital. Writer turned around and followed the ambulance to AI DupontHospital where writer stayed with V1 until writer was released by Det. C. Malone.

Reporting Officer OFF, COTE - 263	6	Supervisor Approval CURTIS M CLIF	TON OJNCCMC Dat	te 08/30/2002 1700	
Solvability Factors	□Witness □Suspect Located	iii M. O. □ Suspect Described	☐ Trace Stolen Property ☐ Suspect Identified	☐ Suspect Named ☐ Suspect Vehicle Described	Status

Report Date as e 1:05-cv-960211-MPT Document 81-5 Filed 04/17/2006nt: Page 7 of 8 32-02-086999

#### Supplemental Report - #3

Grid 114-372	Sector 12			
DE 19803	- Information			
ngmai vicu	m information			
<del>-</del>	<del></del>			
	Ethnic Origin Non-Hispanic	Age 1	D.O.B. 12/30/20	00
Home Telephone (302) 478-567	1 Employer/School			Work 1slephone
Crime and A	ssociated Infor	mation		
n jured Subject N	No Specific Crime A	ssociated		
02	Involvement  Alcohol Drugs		General Offense	
Witness I	nformation			
DWARD			Race White	Age COB. 64 08/24/1938
e Telephone 2) 229-9664	mplayer/School			Work Telephone
	Harne Telephone (302) 478-567  Crime and A nured Subject No2  Witness In DWARD e Telephone (1997)	Title   Titl	Tiginal Victim Information   Age   Non-Hispanic   I	Tithe Origin   Age   D.O.B.   12/30/20   Non-Hispanic   1   12/3

### Investigative Narrative

On stated date at 1015 hrs writer responded to 3220 Coachman Rd (Surrey Park) reference to a drowning. Prior to arrival writer ascertained Talleyville Fire Company was transporting Marisa Fishman (VI) to A.I. DuPont Hospital for further treatment sotherefore writer began to follow the ambulance. At Foulk Rd and Shipley Rd Talleyville Fire Company picked up New Castle County Paramedic Unit #8 who also began to provide treatment. After arriving at the hospital writer contacted Ken Getty (Talleyville Fire Company) who provided writer with the Marisa's clothes. The clothes were tot writer on today's date @ 1030 hrs.

While at the hospital, Rochelle Fishman (V1's mother) arrived and writer began a brief interview. Rochelle stated towriter that at approximately 1000 hours she responded to her bedroom to brush her teeth and then responded back out into the living area. Rochelle had a weird feeling and then realized Marisa was missing so therefore began to look for her. At this point Alexandra (Marisa's sister) located Marisa in the swimming pool floating face down and on the top of the pool. Rochelle then dove into the pool and pulled Marisa out of the water and her and her sister, Deborah Longwill-Fox, began CPR. Rochelle further stated that upon pulling out Marisa from the pool she was blue and after CPR was begun Marisa began to gain color in her hands. Rochelle further stated that there were workers at the residence who left the door open to the pool.

While at the hospital writer also contacted John Magner who stated he was working on Rochelle's residence (110 Kelly Dr. Chadds Ford, Pa) when he received a phone call from an unknown person stating Marisa fell into the pool. John then responded to the Surrey Park address and then to A.I. DuPont Hospital.

Dr. Palmer treated Marisa while she was in the Emergency Department and Dr.

Stryjeweski treated Marisa when she was transferred to the Pediatric ICU. See Marisa's medical records for details (#367612).

- <del></del>	<del></del>	
Reporting Officer	Supervisor Approval	
OFC ALFREE - 2555	ANTHONY W SCELSI OJNCAWS Date 08/30/2002 1654	
	<u> </u>	·—

Page: 2 Report @asse 1.05-cv-0@2911-MPT Document 81-5

Filed 04/17/2000 Filed

Investigative Narrative - Continued

Marisa's clothes were tot'd Det. K. Murphy at 3220 Coachman Rd on today's date @ 1337 hours by writer. This case was tot Det. C. Malone.